

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION**

DOROTHY ANDERSON and  
DEMARQUION MERRILL, as Co-Personal  
Representatives of the Estate of BOBBY  
MERRILL, deceased

Plaintiffs,

Case No.:13-11159  
Hon. Thomas Ludington

-v-

OFFICER JEFF MADAJ, individually,  
OFFICER JUSTIN SEVERS, individually,  
OFFICER BRIAN GUEST, individually, and  
OFFICER STEVEN WIETECH, individually,

Defendants.

---

GEOFFREY N. FIEGER (P30441)  
JAMES J. HARRINGTON, IV (P65351)  
GARY N. FELTY, JR. (P55554)  
*Fieger, Fieger, Kenney, Giroux  
& Harrington, P.C.*  
Attorneys for Plaintiffs  
19390 W. Ten Mile Rd.  
Southfield, MI 48075  
(248) 355-5555  
[g.fieger@fiegerlaw.com](mailto:g.fieger@fiegerlaw.com)  
[j.harrington@fiegerlaw.com](mailto:j.harrington@fiegerlaw.com)  
[g.felty@fiegerlaw.com](mailto:g.felty@fiegerlaw.com)

---

H.WILLIAM REISING (P19343)  
PLUNKETT COONEY  
Attorney for Defendants  
111 E. Court Street, Ste 1B  
Flint, MI 48502  
810-342-7004  
[wreising@plunkettcooney.com](mailto:wreising@plunkettcooney.com)

**PLAINTIFFS' EX PARTE MOTION FOR LEAVE TO FILE EXHIBITS IN THE  
TRADITIONAL MANNER**

NOW COMES the Plaintiff, DOROTHY ANDERSON and DEMARQUION MERRILL,  
as Co-Personal Representatives of the Estate of BOBBY MERRILL, deceased, by and through  
their attorneys, FIEGER, FIEGER, KENNEY, GIROUX & HARRINGTON, PC., and pursuant  
to the Electronic Filing Policies and Procedures, seek leave of this Court to file exhibits in the  
traditional manner.

Exhibits one (1) through five (5) to Plaintiffs' Response to Defendants' Motion for Summary Judgment cannot be authentically converted to electronic form for the reason that they consist of video and I phone video footage.

**WHEREFORE** Plaintiffs' request that this Honorable Court **GRANT** Plaintiffs' leave sought in this Motion.

Respectfully Submitted  
**FIEGER, FIEGER, KENNEY, GIROUX  
& HARRINGTON, PC**

By: /s/ Gary N. Felty, Jr.  
GEOFFREY N. FIEGER (P30441)  
GARY N. FELTY, JR. (P55554)  
Attorneys for Plaintiff  
19390 West Ten Mile Road  
Southfield, MI 48075  
248.355.5555  
[g.felty@fiegerlaw.com](mailto:g.felty@fiegerlaw.com)

Date: October 10, 2014

**Certificate of Service**

I certify that on October 10, 2014, I electronically filed the foregoing papers with the Clerk of the Court using the electronic filing system for US District Court, which will send notification of such filing to the following:

H.WILLIAM REISING  
111 E. Court Street, Ste 1B  
Flint, MI 48502

/s/ Ashley N. Glassner

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION**

DOROTHY ANDERSON and  
DEMARQUION MERRILL, as Co-Personal  
Representatives of the Estate of BOBBY  
MERRILL, deceased

Plaintiffs,

Case No.:13-11159  
Hon. Thomas Ludington

-v-

OFFICER JEFF MADAJ, individually,  
OFFICER JUSTIN SEVERS, individually,  
OFFICER BRIAN GUEST, individually, and  
OFFICER STEVEN WIETECH, individually,

Defendants.

---

GEOFFREY N. FIEGER (P30441)  
JAMES J. HARRINGTON, IV (P65351)  
GARY N. FELTY, JR. (P55554)  
*Fieger, Fieger, Kenney, Giroux  
& Harrington, P.C.*  
Attorneys for Plaintiffs  
19390 W. Ten Mile Rd.  
Southfield, MI 48075  
(248) 355-5555  
[g.fieger@fiegerlaw.com](mailto:g.fieger@fiegerlaw.com)  
[j.harrington@fiegerlaw.com](mailto:j.harrington@fiegerlaw.com)  
[g.felty@fiegerlaw.com](mailto:g.felty@fiegerlaw.com)

---

H.WILLIAM REISING (P19343)  
PLUNKETT COONEY  
Attorney for Defendants  
111 E. Court Street, Ste 1B  
Flint, MI 48502  
810-342-7004  
[wreising@plunkettcooney.com](mailto:wreising@plunkettcooney.com)

**PLAINTIFFS' BRIEF IN SUPPORT OF THEIR MOTION FOR LEAVE TO FILE  
EXHIBITS IN THE TRADITIONAL MANNER**

**ISSUE PRESENTED**

Should Plaintiffs' be permitted to file exhibits to their response to Defendants' Motion for Summary Judgment in the traditional manner, which cannot be authentically converted to electronic form because they consist of video and I phone footage?

**CONTROLLING AUTHORITY**

ECF Policies and Procedures

**PLAINTIFFS' EX PARTE MOTION FOR LEAVE TO FILE EXHIBITS IN THE  
TRADITIONAL MANNER**

Plaintiffs' seek leave of this Court to file exhibits in the traditional manner and hereby rely upon their Ex-parte Motion for Leave to File Exhibits in the Traditional Manner and this Court's sound discretion.

**WHEREFORE** Plaintiffs' request that this Honorable Court **GRANT** Plaintiffs' leave sought in this Motion.

Respectfully Submitted  
**FIEGER, FIEGER, KENNEY, GIROUX  
& HARRINGTON, PC**

By: /s/ Gary N. Felty, Jr.  
GEOFFREY N. FIEGER (P30441)  
GARY N. FELTY, JR. (P55554)  
Attorneys for Plaintiff  
19390 West Ten Mile Road  
Southfield, MI 48075  
248.355.5555  
[g.felty@fiegerlaw.com](mailto:g.felty@fiegerlaw.com)

Date: October 10, 2014

**Certificate of Service**

I certify that on October 10, 2014, I electronically filed the foregoing papers with the Clerk of the Court using the electronic filing system for US District Court, which will send notification of such filing to the following:

H.WILLIAM REISING  
111 E. Court Street, Ste 1B  
Flint, MI 48502

/s/ Ashley N. Glassner